REMARKS

In the Office Action, [1] the Examiner rejected claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,182,094 to Humpleman et al. ("*Humpleman*") in view of U.S. Patent 5,526,130 to Kim ("*Kim*").

Upon entry of this Amendment, claims 1-15 remain pending. Claims 1, 8, and 15 are presently amended to address informalities.

Applicants respectfully traverse the rejection of claims 1-15 under 35 U.S.C. § 103 (a). A *prima facie* case of obviousness has not been established with respect to these claims.

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). M.P.E.P. § 2142, 8th Ed., Rev. 2 (May 2004), p. 2100-128.

A *prima facie* case of obviousness has not been established because, among other things, neither *Humpleman* nor *Kim*, taken alone or in combination, teaches or suggests each and every element of claims 1-15.

Claim 1, for example, recites "an information processing device adapted to be connected to other information processing devices by way of a network and comprising: at least one function execution means for executing a predetermined function, the

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

function execution means having a schedule of operation; a storage means for storing a first piece of information on the schedule of operation of the function execution means; an acquisition means for acquiring a second piece of information on the schedule of operation of the function execution means not contained in the first piece of information; and a control means for putting the second piece of information into a predetermined block format and storing it in the storage means as additional information to the first piece of information."

The Examiner admits that *Humpleman* "fails to particularly disclose an acquisition means for acquiring a second piece of information on the schedule of operation not contained in the first information and wherein the control means putting the second information into a predetermined block format (stored to digital memory) and storing it in storage as additional information to the first information" (Office action at p. 3).

Kim also fails to teach or suggest an acquisition means as recited in claim 1. According to *Kim*, "a test is performed to determine whether the broadcast schedule has been input during step 430" and "if the broadcast schedule has not been input, the test is repeated to check the input" (*Kim* at col. 8, lines 47-50). If the broadcast schedule has been input in the device of *Kim*, "a check is performed as to whether the key data the user has input and the broadcast schedule recognition data to be *compared* are *detected*" (emphasis added, col. 8, lines 53-55).

Accordingly, *Kim* merely discloses comparison and detection means, while claim 1 recites "acquisition means for acquiring a second piece of information on the schedule of operation of the function execution means not contained in the first piece of information."

In addition, *Kim*, at col. 8, lines 47-67, does not teach or suggest "control means for putting the second piece of information into a predetermined block format and storing it in the storage means as additional information to the first piece of information."

According to *Kim*, "each recognized data" (col. 8, lines 65-66) "is stored in the memory during step 470 to thereby finish the reserved video recording establishment process during step 480" (col. 9, lines 3-5). Claim 1 recites a "second piece of information" being "acquired" and "control means" for putting this "second piece of information into a predetermined block format," while *Kim* merely teaches recognizing data and storing it in memory. Thus, *Kim* fails to teach a piece of information acquired and put in a predetermined block format, as required by claim 1.

Independent claims 8 and 15, although of different scope, recite similar elements to claim 1. Because neither *Humpleman* nor *Kim* , taken alone or in combination, teaches or suggests each and every element recited by independent claims 1, 8, and 15, no *prima facie* case of obviousness has been established. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over *Humpleman* in view of *Kim*.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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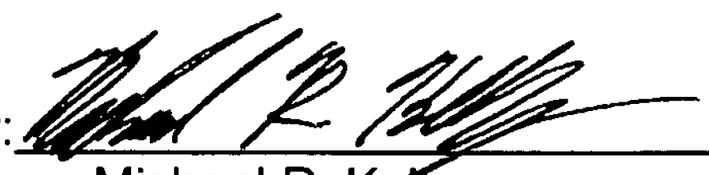
By: 

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